

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VICTOR CADENA,
Plaintiff,

v.

J. PRESTON,
Defendant.

Case No. [19-cv-02856-RS](#) (PR)

ORDER OF DISMISSAL

Plaintiff has not complied with the Court's order to file an amended complaint. Accordingly, this federal civil rights action is **DISMISSED** (without prejudice) for failing to comply with the Court's orders and for failing to prosecute, *see* Federal Rule of Civil Procedure 41(b).

Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion **must** contain an amended complaint that (i) appears on this Court's form; and (ii) complies in all respects with the instructions set forth in the order dismissing the original complaint with leave to amend. (Dkt. No. 4.) The Clerk shall enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

Dated: October 7, 2019



RICHARD SEEBORG
United States District Judge